

**FEDERAL COMMUNICATIONS COMMISSION**  
**445 TWELFTH STREET SW**  
**WASHINGTON DC 20554**

**MEDIA BUREAU**  
**AUDIO DIVISION**  
**APPLICATION STATUS:** (202) 418-2730  
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August 5, 2015

Magic Air Communications Co.  
210 S. Douglas  
Glendive, MT 59330

Re: KDZN (FM), Glendive, MT  
Magic Air Communications Co.  
Facility Identification Number: 39610  
Special Temporary Authority (STA)  
BSTA-20150731AUG

Dear Licensee:

This is in reference to the request filed July 31, 2015, on behalf of Magic Air Communications Co. ("Magic Air"). Magic Air explains the station's tower collapsed July 27, 2015 during thunderstorms. Magic Air requests Special Temporary Authority to resume operation with emergency facilities at the studio site of KXGN (TV) in Glendive, MT.<sup>1</sup>

The request for STA IS HEREBY GRANTED. Station KDZN may operate with the following emergency facilities:

Channel	243 (96.5 MHz)
Coordinates:	47° 06' 15.4" NL, 104° 42' 59" WL
Effective radiated power:	0.140 kW kilowatts (H&V)
Antenna height:	
above ground:	16 meters
above mean sea level:	649 meters
Above average terrain:	-50 meters
Tower Structure Height Above Ground:	18.3 meters

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<sup>1</sup> Section 73.1680 of the Commission's rules provides for operation with emergency antenna facilities following damage to authorized antenna systems, provided that an informal request for continued use of an emergency antenna is filed with the Commission within 24 hours. In particular, Section 73.1680(b)(2) provides that FM and TV stations may erect any suitable radiator, or use operable sections of the authorized antenna(s) as an emergency antenna.

Magic Air must notify the Commission when licensed operation is restored. Magic Air must use whatever means are necessary to protect workers and the public from radiofrequency exposure in excess of the Commission's exposure guidelines. *See* 47 CFR § 1.1310.

This authority expires on **February 1, 2016**.

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**STA Advisory:** Section 309(f) of the Communications Act of 1934, as amended, authorizes the Commission to grant STA in cases of "extraordinary circumstances requiring temporary authorizations in the public interest and when delay in the institution of the temporary operations would seriously prejudice the public interest." However, Section 309(f) is not a means by which a licensee/permittee may circumvent established processing procedures which require the filing of an application, nor is it a means by which a broadcaster may enhance his facility or make operation more convenient for the broadcaster. Stations operating with less than licensed facilities under temporary authorities can be viewed as receiving the benefit of a larger protection area than that in which they are currently providing service.

Accordingly, Special Temporary Authorities by nature are to be temporary and are not intended for extended use. Licensees of stations operating under temporary authorities are reminded that timely restoration of permanent facilities is the responsibility of the licensee and should be undertaken expeditiously. Any request for extension of special temporary authorities carries an increased burden with each subsequent request.

Therefore, requests for extension of STA will be granted only where the licensee can show that one or more of the following criteria have been met:

- Restoration of licensed facilities is complete and testing is underway;
- Substantial progress has been made during the most recent STA period toward restoration of licensed operation; or
- No progress has been made during the most recent STA period for reasons clearly beyond the licensee's control, and the licensee has taken all possible steps to expeditiously resolve the problem.

Sincerely,



Dale Bickel  
Senior Engineer  
Audio Division  
Media Bureau

cc: Davis Oxenford (by e-mail only)